

ENTERED

May 03, 2019

David J. Bradley, Clerk

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

MICHAEL PALMA,

Plaintiff,

v.

STATE OF TEXAS, et al.,

Defendants.

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CIVIL ACTION NO. H-18-4561

ORDER ADOPTING MAGISTRATE JUDGE'S
MEMORANDUM AND RECOMMENDATION

On February 27, 2019, the Magistrate Judge found that Plaintiff's complaint failed to comply with Federal Rule of Civil Procedure 8. The Magistrate Judge ordered Plaintiff to file an amended complaint that complied with Rule 8 within fourteen days of his receipt of the order. Plaintiff did not file an amended complaint or any other pleading. Accordingly, on April 3, 2019, the Magistrate Judge recommended dismissal of Plaintiff's action for noncompliance with the February 27, 2019, Order and for failure to prosecute his case. On April 15, 2019, in a single filing, Plaintiff filed two documents titled "Response to Magistrates Memorandum" and "Writ of Mandamus" (Docket Entry No. 18). Both documents were filed with Fifth Circuit headings. The court construes these documents to be objections to the Magistrate

Judge's Memorandum and Recommendation (Docket Entry No. 14) dated April 3, 2019.

Having reviewed de novo the Magistrate Judge's Memorandum and Recommendation and the objections thereto, the court concludes that the Memorandum and Recommendation should be adopted.

It is, therefore, **ORDERED** that the Memorandum and Recommendation is hereby **ADOPTED** by this court.

SIGNED on this the 3rd day of May, 2019, in Houston, Texas.

A handwritten signature in black ink, appearing to read 'S. Lake', is written over a horizontal line.

SIM LAKE
UNITED STATES DISTRICT JUDGE